

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

PLANNED PARENTHOOD OF TENNESSEE  
AND NORTH MISSISSIPPI, on behalf of itself,  
its physicians and staff, and its patients;  
MEMPHIS CENTER FOR REPRODUCTIVE  
HEALTH, on behalf of itself, its physicians and  
staff, and its patients; KNOXVILLE CENTER  
FOR REPRODUCTIVE HEALTH, on behalf of  
itself, its physicians and staff, and its patients;  
FEMHEALTH USA, INC., d/b/a CARAFEM, on  
behalf of itself, its physicians and staff, and its  
patients; and AUDREY LANCE, M.D., M.S., on  
behalf of herself and her patients,

CIVIL ACTION  
CASE NO. 3:20-cv-00740  
JUDGE CAMPBELL

Plaintiffs,

v.

HERBERT H. SLATERY III, Attorney General  
of Tennessee, in his official capacity; LISA  
PIERCEY, M.D., Commissioner of the  
Tennessee Department of Health, in her official  
capacity; RENE SAUNDERS, M.D., Chair of the  
Board for Licensing Health Care Facilities, in her  
official capacity; W. REEVES JOHNSON, JR.,  
M.D., President of the Tennessee Board of  
Medical Examiners, in his official capacity;  
AMY P. WEIRICH, District Attorney General of  
Shelby County, Tennessee, in her official  
capacity; GLENN FUNK, District Attorney  
General of Davidson County, Tennessee, in his  
official capacity; CHARME P. ALLEN, District  
Attorney General of Knox County, Tennessee, in  
her official capacity; and TOM P. THOMPSON,  
JR., District Attorney General for Wilson  
County, Tennessee, in his official capacity,

Defendants.

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**DEFENDANTS' NOTICE REGARDING TEMPORARY RESTRAINING ORDER AND  
PRELIMINARY INJUNCTION HEARING**

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Defendants Herbert H. Slatery III, Lisa Piercey, Rene Saunders, W. Reeves Johnson, Jr., Amy P. Weirich, Glenn Funk, Charme P. Allen, and Tom P. Thompson, Jr., in their official capacities only, hereby respond to the Court's September 29, 2020 order. (D.E. 34).

Without waving any objections to anything other than the duration of the temporary restraining order, Defendants submit that they have no objection to extending the temporary restraining order until the Court conducts the preliminary injunction hearing and issues an order on the preliminary injunction, or ninety days at the latest.

Upon consultation with counsel for both Plaintiffs and Defendants, the ninety days suggested by the Court would set the hearing in the middle of the holiday season, posing logistical difficulties with witness availability. Plaintiffs and Defendants have conferred and would propose a date within the first two weeks of December, the Court's schedule permitting.

Likewise, given the logistical challenges of conducting a hearing using live testimony during the COVID-19 pandemic, Plaintiffs and Defendants propose setting a scheduling conference with the Court on October 13, 2020 at the time now being held for the hearing to discuss potential dates and logistical expectations with the Court in advance of a later preliminary hearing date.

Respectfully submitted,

HERBERT H. SLATERY III  
Attorney General and Reporter

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Notice has been served on the following counsel of record through the Electronic Filing System on this 5th day of October, 2020:

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